

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

NATHANIEL CLAYBROOKS and)
CHRISTOPHER JOHNSON, individually,)
on behalf of all others similarly situated,)

Plaintiffs,)

v.)

AMERICAN BROADCASTING COMPANIES,)
INC., WARNER HORIZON TELEVISION,)
INC., NEXT ENTERTAINMENT, INC.,)
NZK PRODUCTIONS, INC., and)
MICHAEL FLEISS,)

Defendants.)

Civil No. 3:12-0388

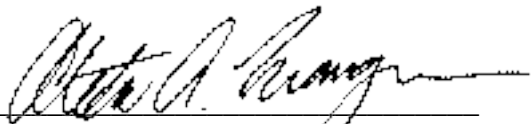
Judge Trauger

ORDER

The defendants have filed a Motion to Dismiss (Docket No. 38), which is supported, in part, by a DVD (Docket No. 36) and a Declaration (Docket No. 41). It is hereby **ORDERED** that, by July 6, 2012, the parties shall file a position statement, indicating whether or not they believe this Motion to Dismiss should be converted to a motion for summary judgment under Rule 12(d), FED. R. CIV. P.

It is so **ORDERED**.

ENTER this 29th day of June 2012.



ALETA A. TRAUGER
U.S. District Judge